

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**IN RE: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

IN RE: BEARINGS CASES

THIS RELATES TO:

DIRECT PURCHASER ACTION

Master File No. 12-md-02311

Honorable Marianne O. Battani

Case No.: 12-cv-00501-MOB-MKM

STIPULATION AND ORDER REGARDING DAUBERT BRIEFING

On May 18, 2016, the Court issued an order in *Bearings* on Direct Purchaser Plaintiffs' ("DPPs") Motion to Amend Class Certification Briefing Schedule (ECF No. 226 in 12-500). That order scheduled briefing deadlines for DPPs' Motion for Class Certification and Appointment of Class Counsel (ECF No. 216 in 12-501) ("DPPs' Class Certification Motion"), as well as the depositions of experts opining in connection with class certification. No corresponding deadlines have yet been ordered for the accompanying motions to exclude such experts' testimony under *Daubert* and Federal Rule of Evidence 702.

As required by Local Rule 7.1(a), Defendants have sought DPPs' concurrence in excluding the testimony of DPPs' experts in support of DPPs' Class Certification Motion under *Daubert*, but did not obtain concurrence in the relief sought. Accordingly, for the sake of efficiency and to align the briefing schedules for class certification and the related *Daubert* motions, Defendants and DPPs hereby stipulate and agree to the following schedule for the *Daubert* briefing in connection with DPPs' Class Certification Motion:

Date	Class Certification Briefing	<i>Daubert</i> Briefing
March 20, 2017	DPPs' Motion for Class Certification	N/A
July 26, 2017	Defendants' Response to DPPs' Motion for Class Certification	Defendants' <i>Daubert</i> Motions for Expert Testimony Submitted in Support of Class Certification
November 16, 2017	DPPs' Reply in Support of Motion for Class Certification	DPPs' Responses to Defendants' <i>Daubert</i> Motions
December 15, 2017	N/A	Defendants' Replies in Support of <i>Daubert</i> Motions
January 11, 2018 at 10:00 a.m.	Hearing on DPPs' Motion for Class Certification	Hearing on Defendants' <i>Daubert</i> Motions

The page limit for: (i) Defendants' *Daubert* motions for expert testimony submitted in support of class certification shall be 25 pages; (ii) DPPs' responses to such motions shall be 25 pages; and (iii) Defendants' replies in support of such motions shall be 15 pages, each exclusive of signature blocks and any other material outside the main body of the briefing.

For the avoidance of doubt, this Stipulation and Order applies to and governs only the schedule and page limits for the *Daubert* briefing in connection with DPPs' Class Certification Motion, as defined above, and shall neither prejudice nor in any way impact the parties' rights and obligations relating to other motion practice. This Stipulation and Order Regarding *Daubert* Briefing supersedes and replaces the prior stipulation between DPPs and Defendants bearing the same title, dated July 31, 2017.

IT IS SO ORDERED.

Date: September 13, 2017

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

STIPULATED AND AGREED.

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